

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

**THOMAS DOUGLAS, Administrator of the  
Estate of SEBERA GAYLE DOUGLAS,  
Deceased**

**PLAINTIFF**

**VERSUS**

**CIVIL ACTION NO. 2:06-CV-188-WKW**

**TMA FOREST PRODUCTS GROUP; et al.**

**DEFENDANTS**

**MOTION TO ALLOW AMENDED COMPLAINT**

Comes now the Plaintiff and moves this Court to allow Plaintiff to amend Plaintiff's Complaint to make the following changes:

1. To delete Count Nine (Spoliation) as a cause of action, but to return certain allegations formerly contained in Count Nine in the general allegations.
2. To delete Count Ten (Homicide) as a cause of action.
3. A copy of the proposed Amended Complaint is attached.

Respectfully submitted this 24<sup>th</sup> day of April, 2006.

/s/ W. Eason Mitchell  
W. EASON MITCHELL (MIT020)  
The Colom Law Firm, LLC  
Post Office Box 866  
Columbus, MS 39703-0866  
Telephone: 662-327-0903  
Facsimile: 662-329-4832  
emitchell@colom.com

/s/ Gregory A. Cade  
GREGORY A. CADE (CAD010)  
LEE GRESHAM, III (GRE054)  
FRED R. DeLEON (DEL021)  
Environmental Litigation Group  
3529 Seventh Avenue South  
Birmingham, AL 35222  
Telephone: 205-328-9200  
Facsimile: 205-328-9206

**Certificate of Service**

I, W. Eason Mitchell, hereby certify that on April 24, 2006, I electronically filed the foregoing *Motion to Allow Amended Complaint* with the Clerk of the Court using the ECF system which sent notification of such filing to the following:

H. Thomas Wells, Jr., Esq.  
John A. Earnhardt, Esq.  
Dennis R. Bailey, Esq.  
R. Austin Huffaker, Esq.

/s/ W. Eason Mitchell  
W. Eason Mitchell

douglas - motion.wpd